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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,755	03/23/2004	Jen-Yu Hsu	LITP0032USA	2754
27765	7590	06/26/2007	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION			DINH, TAN X	
P.O. BOX 506			ART UNIT	PAPER NUMBER
MERRIFIELD, VA 22116			2627	
			NOTIFICATION DATE	DELIVERY MODE
			06/26/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/708,755	Applicant(s) HSU ET AL.	
	Examiner TAN X. DINH	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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- 1) Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
- 2) The drawings are objected to because every circuit blocks in *figure 1* must be properly labeled, for example, block 30 is " SLED MOTOR ", block 22 is " SPINDLE MOTOR ", etc., .

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in

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the next Office action. The objection to the drawings will not be held in abeyance.

3) Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase " obtaining a correction coefficient " (claims 1 and 7) is unclear and cannot be understood. correction coefficient of what ?.

The phrase " the force of the sled motor is multiplied by correction coefficient " (claims 6 and 12) is also unclear. Is this indicated the force P corrected is multiplied by itself with correction coefficient duration W or predetermined force P_{set} multiplied by correction coefficient duration W ?.

Claim(s) 2-6,8-12 incorporate the indefiniteness of claim(s) 1 and 7 by virtue of their dependency thereon.

4) Claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at

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the time the application was filed, had possession of the claimed invention.

The claims recite the feature of " obtaining a correction coefficient according to the measured duration and ideal duration " but the specification *did not provide any detail how to obtain this ideal duration*. Without this teaching, anyone within the level of skill in the art cannot practicing the invention.

5) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

6) (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7) Claims 1-4 and 7-10, as understood by the meaning of 1st and 2nd paragraphs above, are rejected under 35 U.S.C. 102(b) as being anticipated by KIM (6,137,751).

KIM discloses a method of controlling the force of a sled motor in an optical disk drive as claimed in claim 1, comprising:

providing a predetermined force to the sled motor after the optical disk drive is powered on (the normal force applied to sled motor during operation of the optical disc drive);

measuring a duration of an pickup head module moving a

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predetermined distance when the predetermined force is provided (Fig.10, steps S200 to S208);

obtaining a correction coefficient according to the measured duration and an ideal duration (Fig.10, steps S210 and S212);

correcting the force of the sled motor according to the correction coefficient (Fig.10, steps S214 or S216).

As to claim 2, KIM shows the optical disk drive is a slim-type (every optical disk drive can be considered as slim-type or non-slim type).

As to claim 3, every sled motor in optical disk drive DC motor.

As to claim 4, the predetermined distance moveable in optical disk drive is always less than or equal to an allowable movement range of the optical pickup.

Since the features of claims 5,6,11 and 12 are not specific disclose in the specification, examiner assumes that they inherently in optical disk drive of KIM.

Claim 7 is rejected with the same reasons set forth in claim 1 above.

Claim 8 is rejected with the same reasons set forth in claim 2 above.

Claim 9 is rejected with the same reasons set forth in claim 3

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above.

Claim 10 is rejected with the same reasons set forth in claim 4 above.

8) Claims 1-4 and 7-10, as understood by the meaning of 1st and 2nd paragraphs above, are further rejected under 35 U.S.C. 102(b) as being anticipated by JEONG (6,288,983).

JEONG discloses a method of controlling the force of a sled motor in an optical disk drive as claimed in claim 1, comprising:

providing a predetermined force to the sled motor after the optical disk drive is powered on (the normal force applied to sled motor during operation of the optical disc drive);

measuring a duration of an pickup head module moving a predetermined distance when the predetermined force is provided (Fig.10, steps S31-S33);

obtaining a correction coefficient according to the measured duration and an ideal duration and correcting the force of the sled motor according to the correction coefficient (Fig.10, steps S34 to step S40. In this case, the correction coefficient is performed in step S36, thereafter, the force of the sled motor being corrected on step S40).

As to claim 2, every optical disk drive can be considered as slim-type or non-slim type.

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As to claim 3, JEONG shows sled motor is DC motor (column 4, lines 9-36).

As to claim 4, the predetermined distance moveable in optical disk drive is always less than or equal to an allowable movement range of the optical pickup.

Since the features of claims 5,6,11 and 12 are not specific disclose in the specification, examiner assumes that they inherently in optical disk drive of JEONG.

Claim 7 is rejected with the same reasons set forth in claim 1 above.

Claim 8 is rejected with the same reasons set forth in claim 2 above.

Claim 9 is rejected with the same reasons set forth in claim 3 above.

Claim 10 is rejected with the same reasons set forth in claim 4 above.

9) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant is reminded that in amending in response to a rejection of claims (if the rejection involves with any applicable arts), the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the

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objection made. Applicant must also show how the amendments avoid such references and objections. See 37 CFR § 1.111(c).

Form PTO-892 is attached herein.

10) Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAN XUAN DINH whose telephone number is (571)272-7586. The examiner can normally be reached on MONDAY to FRIDAY from 9:00AM to 5:00PM.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TAN DINH
PRIMARY EXAMINER
June 18, 2007